

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Labor Smart Inc.,

Plaintiff,

v.

Jason Tucker, *et al.*,

Defendants.

No. CV-22-00357-PHX-JJT

**ORDER**

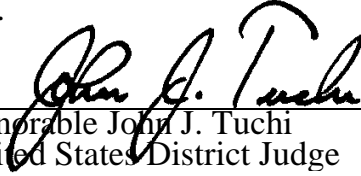
In a May 1, 2023 Order Defendants Jason and Melissa Tucker (“Tucker Defendants”) were ordered to file an Answer to the Amended Complaint (Doc. 67) within the time provided under the Federal Rules of Civil Procedure. (Doc. 129.) After a couple of extensions, the Tucker Defendants filed a Motion to Dismiss (Partial) (Doc. 134) on June 5, 2023. After the Motion was briefed, the Court issued its Order granting the Dismissal of Claim I of the Amended Complaint. (Doc. 140.)

It has been almost 12 months since the Tucker Defendants were ordered to file an Answer to the Amended Complaint. The Motion to Dismiss only addressed one claim, leaving two claims unanswered, and no application for entry of default has been made.

**IT IS ORDERED** that counsel for Plaintiff apply for entry of default or file a status report as to the Tucker Defendants within 10 days of the date of this Order concerning the status of this case.

1           **IT IS FURTHER ORDERED** that the matter will be dismissed without further  
2 notice as to the Tucker Defendants if counsel fails to apply for entry of default or file a  
3 status report within 10 days of the date of this Order.

4           Dated this 25th day of April, 2024.

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8           Honorable John J. Tuchi  
9           United States District Judge  
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